

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: CATHODE RAY TUBE (CRT)) MDL No. 1917
ANTITRUST LITIGATION)
) Master File No.
) CV-07-5944-SC

This Order Relates To:) ORDER ON THE STATE OF
) CALIFRONIA'S MOTION FOR
) PERMISSIVE INTERVENTION AND
) TO RESTORE PUBLIC ACCESS TO
) 107 COURT RECORDS

)

Now before the Court is the subject motion, filed by the State of California ex rel. Kamala D. Harris, Attorney General of the State of California ("the State"), ECF No. 3972 ("Mot."). The motion is fully briefed¹ and is appropriate for resolution without oral argument pursuant to Civil Local Rule 7-1(b).

The State makes arguments why it should be permitted to intervene for the limited purpose of restoring public access to certain records sealed by the Court. In sealing said records, the Court stated that it "will look favorably upon motions to intervene filed by members of the public who wish to access the sealed documents." Order of the Court dated December 27, 2012, ECF No. 1512. In the very next sentence of that same order, the Court clarified that "[i]f such motions are filed, the Court will not

¹ See ECF Nos. 4022 ("Opp'n"), 4034 ("Reply").

United States District Court
For the Northern District of California

1 hesitate to appoint a Special Master to review the documents to be
2 unsealed, whose fee shall be paid directly by the party seeking to
3 preserve confidentiality." Id. The Court has since reiterated its
4 favorable viewpoint multiple times. See ECF Nos. 3498, 3626, 3795.

5 Nonetheless, now that one such long-since-contemplated motion
6 has been filed, certain parties ask the Court to hesitate in
7 appointing a Special Master. See Opp'n. The Court has reviewed
8 the motions and "is not inclined to deny the Motion to Unseal."
9 Opp'n at 9. However, rather than rule on the issues in this
10 motion, the Court is willing to accede to the requests by parties
11 and refer the balance of this motion to a Special Master. See id.
12 at 9-10; see also Reply at 8; ECF No. 3972-3.

13 Therefore, the Court grants the State preliminary permission
14 to intervene in the underlying action for the very limited and
15 collateral purpose of seeking the unsealing of 107 certain records
16 previously sealed by the Court. Both parties expressly request
17 Special Master Vaughn R. Walker. Accordingly, the Court sends the
18 motion filed by the State to Special Master Walker to review and
19 make an independent recommendation whether permission to intervene
20 is proper, and, if so, which (if any) of the related 107 Court
21 records ought to be unsealed. Should the Special Master find in
22 favor of the State, his fees shall be paid directly by the party or
23 parties seeking to preserve confidentiality. Otherwise, the
24 Special Master may allocate his fees as he deems appropriate.

25 IT IS SO ORDERED.

26

27

Dated: September 17, 2015



28

UNITED STATES DISTRICT JUDGE